## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

## LOCKHEED MARTIN SPACE SYSTEMS COMPANY MICHOUD OPERATIONS

and

Case 15-CA-018892

MARK JAMES

## ORDER1

The Employer's petition to revoke subpoena duces tecum B-709154 is denied.<sup>2</sup> The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., December 23, 2013.

MARK GASTON PEARCE, CHAIRMAN

HARRY I. JOHNSON, III, MEMBER

NANCY SCHIFFER, MEMBER

<sup>&</sup>lt;sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>&</sup>lt;sup>2</sup> The Employer's objections concerning those subpoena requests that date back 17 years have been fully considered. Although ordinarily such requests would be overbroad, in this case, we reject the Employer's argument. The Employer produced such documents itself to defend against the claims in the underlying arbitration, and had been on notice for nearly a year and a half that the Region required such documents for its investigation. Thus, the Employer had sufficient time to produce them.